


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13667 U.S. PTO

PTO/SB/05 (03-01)
Approved for use through 10/31/2001. OMB 0651-0032
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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	88265-6195	Total Pages	16
First Named Inventor or Application Identifier			
Holger Werner JUSTI			
Express Mail Label No.	EV 346 810 379US		

APPLICATION ELEMENTS
See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

1. ☒ Fee Transmittal Form (e.g. PTO/SB/13)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status
See 37 CFR 1.27.
3. ☒ Specification Total Pages **14**
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed Sponsored R&D
 - Reference to Sequence Listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☐ Drawing(s) (35 U.S.C. 113) (Figs.) Total Sheets **2**
5. ☒ Oath or Declaration (executed) Total Pages **2**
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD ROM or CD-R (2 copies); or
 - ii. ☐ Paper
 - c. ☐ Statements verifying identity of above copies.

ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☒ Power of Attorney
(when there is an assignee) (Copy attached)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449
☒ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☒ Certified copy of Priority Document(s) **EP01203016-9**
(if foreign priority is claimed)
16. ☐ Non-publication Request Under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent
17. ☐ Other:

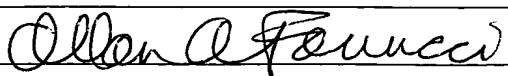
18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of application no. PCT/EP02/06590, filed June 13, 2002.

Prior Application Information: Examiner: _____ Group Art Unit: _____

For CONTINUATION OR DIVISIONAL APPLICATIONS ONLY: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

Customer Number or Bar Code				CUSTOMER NO. 28765			
NAME							
ADDRESS							
CITY		STATE		ZIP CODE			
COUNTRY		TELEPHONE		FAX			
Name (Print/Type)				Registration No.: 30,256			
Signature				Date			
				1/20/04			

REQUEST FOR FILING A CONTINUATION OR DIVISION OF AN INTERNATIONAL APPLICATION

Docket Number	Anticipated Classification of this Application		Prior Application Examiner	Art Unit
88265-6195	Class:	Subclass:		

Address to:
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450

This is a request for filing a continuation application under 37 CFR 1.53(b) of pending prior international application number **PCT/EP02/06590**, filed June 13, 2002, entitled in **BISCUIT FOR FROZEN CONFECTIONERY**, which designated the United States.

Note: 37 CFR 1.53(d) cannot be used to file a continuation or divisional application of an international application which has not entered the national stage.

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16 (c))	17 - 20	0	x \$ 18	\$ 0.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	2 - 3	0	x \$ 86	\$ 0.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$	
	BASIC FEE (37 CFR 1.16(a))				\$ 770.00
	Total of above Calculations =				\$ 770.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.27)				
	Total =				\$ 770.00

1. Enclosed are the specification and claims.
2. ☒ The Commissioner is hereby authorized to charge any fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment to Deposit Account No. 50-1814. A duplicate of this sheet is enclosed.
3. ☐ Amend the specification by inserting before the first line the sentence:
4. ☒ A newly executed declaration under 37 CFR 1.63 is enclosed.
5. ☒ Priority of Application No. **EP01203016.9** filed August 9, 2001 in the Europe is claimed under 35 U.S.C. § 119 (a)-(d). *A copy is attached herewith.*
 - ☒ Please direct all communication for this matter to **Customer Number 28765**.

Date

1/20/04

Allan A. Fanucci, Reg. No. 30,256

WINSTON & STRAWN
 CUSTOMER NO. 28765
 212-294-3311

EXPRESS MAIL LIST

To:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The following items listed below are being filed herewith with the USPTO on January 20, 2004

Express Mail No. EV 346 810 379 US		
Attorney Docket No.	Appln. Serial No./ Patent No.	Items - Documents filed on January 20, 2004
88265-6195	TBA	Utility Patent Application Transmittal (PTO/SB/05); Specification 14 pages including 17 claims; Patent Application Fee Sheet (in duplicate); Executed Inventors' Declaration (2 pages); Executed Power of Attorney By Assignee; Executed Assignment w/Recordation Cover Sheet; Information Disclosure Statement, PTO 1449, 10 refs.; Certified Copy of Priority Document EP01203016.9

Please acknowledge receipt of these items as received by returning the enclosed postcards with the date of receipt of January 20, 2004

NY:833549.9